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Attorneys for Defendants Peter Greco & George Gerhard, III

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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MARTA BARBEOSCH VARELA, Individually	:	
and as Executrix of the Estate of William P.,	:	NO. 13-CV-3332 (ALC)
Barbeosch, Deceased,	:	
	:	
Plaintiff,	:	<u>NOTICE OF MOTION</u>
	:	
v.	:	
	:	
BARNUM FINANCIAL GROUP,	:	
PETER GRECO & GEORGE GERHARD, III	:	
	:	
Defendants.	:	
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PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, dated November 1, 2013, and all the pleadings and prior proceedings had herein, Defendants Peter Greco & George Gerhard, III will move this Court before the Honorable Andrew L. Carter, Jr., United States District Judge for the Southern District of New York, at the United States Courthouse, 40 Foley Square, New York, New York, 10007, at a date and time to be designated by the Court, or as soon as thereafter as counsel can be heard, for an Order, pursuant to Fed. R. Civ. P. 12(b)(6), dismissing the Amended Complaint in its entirety, with prejudice, on the ground that it fails to state a claim.

Pursuant to the "So Ordered" letter dated October 24, 2013 (see Docket #19), Plaintiff's response to the instant motion shall be filed on or before November 25, 2013 and Defendants reply brief shall be filed on or before December 6, 2013.

Dated: New York, New York
November 1, 2013

Respectfully submitted,

SICHENZIA ROSS FRIEDMAN FERENCE LLP

By: 

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